United Nations A/58/847–S/2004/512

General Assembly
Security Council

Distr.: General
24 June 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 131 and 132

Security Council
Fifty-ninth year

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Identical letters dated 24 June 2004 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I wish to apprise you of the serious financial situation which continues to plague both the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, owing to the failure of Member States to pay their assessed contributions in full and on time. Notwithstanding approval of the budgets of the Tribunals by the General Assembly, the cash position of the International Tribunals for Rwanda and the former Yugoslavia has continued to deteriorate, as contributions continue to fall short of assessments. At the end of 2002, the Tribunals had had a small cash deficit. At the end of December 2003, there were still 111 Member States which had unpaid contributions totalling over $88 million for the two Tribunals and by the end of May 2004, the situation had worsened further, thereby threatening the future work of the Tribunals.

In this connection, in August 2003, the Controller addressed a letter to each Permanent Representative of all those Member States which had not paid their

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assessed contributions for the two Tribunals, advising that as the cash available for the Tribunals had run out, the Secretariat was forced to resort to borrowing from closed peacekeeping missions. In December 2003, in the absence of improvement in the financial situation, I personally wrote to the Heads of State of those Member States which still had outstanding contributions to the budget of both Tribunals, highlighting my concerns over the impact that such a continuing situation might have on the ability of the Tribunals to implement their completion strategy.

In the light of the worsening situation with outstanding assessed contributions of 146 Member States totalling $152 million as at 31 May 2004, the Controller wrote again on 16 June to the Permanent Representatives of all Member States requesting advice from those whose assessed contributions are outstanding when those contributions might be forthcoming. At the same time, effective May 2004, the Organization had taken steps to freeze recruitment and scale down operations. Unless Member States make significant new payments for the Tribunals in the very near future, further steps will be necessary. I cannot overemphasize the magnitude of the financial crisis facing the Tribunals or the importance of Member States meeting their financial obligations.

As the President of the International Tribunal for Yugoslavia has already indicated in his letter to the Security Council on 21 May 2004 (S/2004/420), the actions taken to date to address the continuing serious financial difficulties faced by the Tribunals present a clear and present danger to the accomplishment of the daily work of the Tribunal, its ability to meet the goals of the Completion Strategy and the integrity of ongoing trials and proceedings. Further, it is my view that the serious financial situation plaguing the Tribunals will call into question the credibility of the United Nations, notably its commitment to bring to trial those responsible for serious violations of international humanitarian law both in Rwanda and the Former Yugoslavia.

I should be grateful if you would bring this letter to the attention of the members of the General Assembly and the Security Council by circulation of it as a document of the Assembly and the Security Council.

(*Signed*) Kofi A. **Annan**